



CP/176

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of : Lang, et al.
Serial No. : 09/647,882
Group Art Unit : 1761
Filed : October 4, 2000 (102e)
Examiner : Lilling, H.
For : Food Supplement

DEC 20 2002

TECH CENTER 1600/2900

TO 1700 MAIL ROOM

DEC 17 2002

RECEIVED

Commissioner for Patents
Washington, D. C. 20231

**FURTHER ELECTION OF SPECIES, AMENDMENT
AND RESPONSE TO OFFICE ACTION**

Sir:

In response to the Office Action dated November 14, 2002, Applicants wish to refine their election of species in light of the Examiner's action. Applicants respectfully elect with traverse to prosecute an invention wherein the first fruit or vegetable is a citrus fruit and the second fruit or vegetable is an apple. Claims 1-4, 6-13, 16-24 and 40-41 are therefore readable on the elected species. Notwithstanding Applicants election, Applicants respectfully request the Examiner to withdraw his restriction requirement for the reasons which were cited in Applicants' previously filed papers.

REMARKS

After entering the previously filed amendment and with Applicants election of species in this paper, claims 1-24 and 40-41 are pending in the present application, with claims 1-4, 6-13, 16-24 and 40-41 being readable on the elected species.

The Examiner is respectfully requested to call the undersigned attorney at the number set forth below, should there be a need to discuss this restriction requirement and Applicants proposed election of the amended claims.

Dated: 12/9/02

Respectfully submitted,
Coleman Sudol Sapone, P.C.

By: 

Henry D. Coleman

Reg. No. 32,559

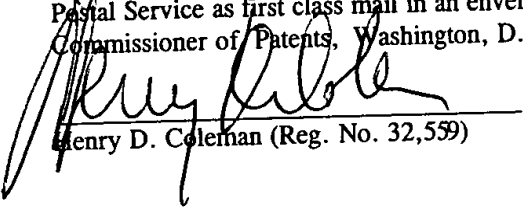
714 Colorado Avenue

Bridgeport, Connecticut 06605-1601

(203) 366-3560

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents, Washington, D.C., 20231, on December 9, 2002.


Henry D. Coleman (Reg. No. 32,559)